

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

KAYLA GORDON and JAMES MOLLO,

Plaintiffs,

No. C 17-06310 WHA

v.

BRAAVOS, INC., d/b/a BANNERMAN
SECURITY; JONATHAN CHIN;
and DOES 1 through 10, Inclusive,

Defendants.

**ORDER GRANTING
STIPULATION TO CONTINUE
SEPTEMBER 6 HEARINGS**


This is a wage-and-hour putative class action. At the initial case management conference, the Court reminded counsel that they should not discuss class-wide settlement until after the class is certified. While settlements can always be discounted for risks of litigation on the merits of a claim, class settlements should not be *further* discounted for the risk of denial of class certification. Accordingly, it is important to learn whether plaintiffs will be adequately represented and if other requirements can be met before claims of absent class members are compromised.

After the initial case management conference, both sides stipulated to continue the September 6 hearings to allow plaintiffs and plaintiffs' counsel to intervene in a concurrent action in the Superior Court of California, County and City of San Francisco before Judge Mary Wiss (Dkt. No. 52). That action is against the same defendants and is also for wage-and-hour violations.

1 Because of the sequence of events stated above, the Court is concerned that the parties
2 may wish to reach a compromise that not only discounts the settlement based on the merits of
3 the claims but also based on the risks of class certification. Nevertheless, the Court **GRANTS** the
4 continuance of the hearings to give Judge Wiss an opportunity to hear the motions before her.
5 The parties are **ORDERED** to provide Judge Wiss a copy of this order. The September 6
6 hearings on defendants' motion to stay the action and plaintiffs' motion to file an amended
7 complaint are **VACATED** and **CONTINUED TO NOVEMBER 1, 2018, AT 8:00 AM.**

8
9 **IT IS SO ORDERED.**

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11 Dated: September 5, 2018.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE